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Attorneys for Sonos, Inc.

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14
15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.
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CASE NO. 3:20-cv-06754-WHA

**JOINT STIPULATION AND
[PROPOSED] ORDER OF PARTIAL
DISMISSAL**

Judge: Hon. William Alsup

1 Pursuant to Federal Rule of Civil Procedure 15(a)(2) and Civil Local Rule 7-12, Plaintiff
2 Google LLC (“Google”) and Defendant Sonos, Inc. (“Sonos”) have agreed to the following
3 dismissal of claims related to U.S. Patent No. 9,344,206 (“’206 patent”) and respectfully request the
4 Court to adopt the following Stipulation:

5 WHEREAS, Google filed a complaint seeking a declaratory judgment of non-infringement
6 of the ’206 patent in this district on September 28, 2020 (*Google LLC v. Sonos, Inc.*, No. 3:20-cv-
7 06754, Dkt. No. 1);

8 WHEREAS, Sonos filed an action in the Western District of Texas on September 29, 2020,
9 asserting a claim for infringement of the ’206 patent against Google (*Sonos, Inc. v. Google LLC*,
10 No. 3:21-cv-07559-WHA, Dkt. No. 1);

11 WHEREAS, Google filed an amended complaint on December 11, 2020 seeking a
12 declaratory judgment of non-infringement (*Google LLC v. Sonos, Inc.*, No. 3:20-cv-06754, Dkt. No.
13 41);

14 WHEREAS, Google filed an answer to Sonos’s complaint asserting declaratory judgment
15 counterclaims of non-infringement and invalidity for the ’206 patent on January 8, 2021 (*Sonos*,
16 *Inc. v. Google LLC*, No. 3:21-cv-07559-WHA, Dkt. No. 32);

17 WHEREAS, Sonos filed an amended complaint on February 17, 2021 and a second amended
18 complaint on February 23, 2021 asserting a claim for infringement of the ’206 patent against Google
19 (*Sonos, Inc. v. Google LLC*, No. 3:21-cv-07559-WHA, Dkt. Nos. 49, 51);

20 WHEREAS, the Court granted Google leave to file a second amended complaint seeking a
21 declaratory judgment of non-infringement and invalidity of the ’206 patent on January 21, 2022
22 (*Google LLC v. Sonos, Inc.*, No. 3:20-cv-06754, Dkt. No. 111);

23 WHEREAS, the parties agreed on February 2, 2022 to the simultaneous dismissal of (1)
24 Sonos’s claim for infringement of the ’206 patent against Google with prejudice, and (2) Google’s
25 declaratory judgment claims of non-infringement and invalidity of the ’206 patent without
26 prejudice;

27 NOW, THEREFORE, IT IS HEREBY STIPULATED by and through counsel for the parties
28 that:

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1. Sonos dismisses all patent infringement claims regarding the '206 patent with prejudice;
2. Google dismisses all declaratory judgment claims of non-infringement and invalidity regarding the '206 patent without prejudice; and
3. This dismissal does not extend to any other patent asserted in this action.

WHEREFORE, Sonos and Google respectfully request that the Court enter this Stipulation as an Order of the Court.

IT IS SO STIPULATED.

Dated: February 4, 2022	Respectfully submitted,
<u>/s/ Charles K. Verhoeven</u>	<u>/s/ Alyssa Caridis</u>
Attorneys for GOOGLE LLC	Attorneys for SONOS INC.
QUINN EMANUEL URQUHART & SULLIVAN, LLP	ORRICK, HERRINGTON & SUTCLIFFE LLP
<i>Counsel for Google LLC</i>	<i>Counsel for Sonos Inc.</i>

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ECF ATTESTATION

I, Charles K. Verhoeven, am the ECF User whose ID and password are being used to file this Joint Stipulation. In compliance with Civil Local Rule 5-1, I hereby attest that Alyssa Caridis, counsel for Sonos, has concurred in this filing.

Dated: February 4, 2022

Charles K. Verhoeven
QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Charles K. Verhoeven
Charles K. Verhoeven

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[PROPOSED] ORDER
PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____, 2022 By: _____
Hon. William Alsup
United States District Judge